

4529
1 BILL NO. S-79-07-05

2 SPECIAL ORDINANCE NO. S-

118-79

3 AN ORDINANCE approving a contract
4 between Zollner Corporation and the
5 City of Fort Wayne by and through its
6 Department of Public Safety for Fire
7 protection.

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
9 INDIANA:

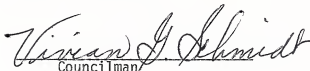
10 SECTION 1. That the contract, dated June 1, 1979, between the
11 City of Fort Wayne, by and through its Mayor and Board of Public Safety
12 and Zollner Corporation, for fire protection from the Fort Wayne Fire
13 Department on specified grounds outside the city limits, described as
14 follows, to wit:

15 All buildings and improvements of Zollner,
16 presently located or hereinafter located on
17 an area which has a frontage of 602.4 feet
18 more or less, along the east right of way
19 line of Coliseum Boulevard south, a north
20 boundary line of 1381 feet more or less, an
21 east boundary line of 765.1 feet more or less,
22 and a south boundary line of 1854 feet more or
23 less.

24 SECTION 2. That the cost of Zollner Corporation shall be the
25 sum of \$5,796.14, which amount shall be deposited into Fund No. 110
26 "Fire Fighting Fund" pursuant to Indiana Burns Statutes Annotated
27 Sec. 48-6176.

28 SECTION 3. That said contract is on file in the Office of the
29 Board of Public Safety and is by reference incorporated herein, and made
30 a part hereof, is hereby in all things ratified, confirmed and approved.

31 SECTION 4. That this Ordinance shall be in full force and
32 effect from and after its passage and approval by the Mayor.

33 
34 Councilman

35 APPROVED AS TO
36 FORM & LEGALITY

37 
38 William N. Salin, City Attorney

Read the first time in full and on motion by V. Schmidt, seconded by

Thompson, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 7-10-79

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by V. Schmidt, seconded by J. Tier, and duly adopted, placed on its passage.
PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>1</u>	_____	_____	_____
<u>BURNS</u>	_____	<u>X</u>	_____	_____	_____
<u>HINGA</u>	<u>X</u>	<u>X</u>	_____	_____	_____
<u>HUNTER</u>	<u>X</u>	_____	_____	_____	_____
<u>MOSES</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 7-24-79

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE

(RESOLUTION) No. 2118-79 on the 24th day of July, 1979

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winifred C. Wingo JR.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1979 at the hour of 11:30 o'clock A. M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 31st day of July, 1979 at the hour of 3 o'clock _____ M., E.S.T.

Rabert E. Armstrong
MAYOR

Bill No. S-79-07-05

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance
approving a contract between Zollner Corporation and the City
of Fort Wayne by and through its Department of Public Safety for
Fire protection

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance 100 PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

WILLIAM T. HINGA - VICE CHAIRMAN

JAMES S. STIER

JOHN NUCKOLS

DONALD J. SCHMIDT

Vivian G. Schmidt
William T. Hinga
James S. Stier
John Nuckols
Donald J. Schmidt

7-24-79 CONCURRED IN
DATE CHARLES W. WESTERMAN, CITY CLERK

FIRE PROTECTION CONTRACT

This contract is entered into in duplicate this 1st day of June, 1979 between the CITY OF FORT WAYNE, INDIANA, acting by and through its Mayor and Board of Commissioners, Department of Public Safety, ("CITY") and ZOLLNER CORPORATION, an Indiana corporation having its principal place of business in Adams Township, Allen County, Indiana ("ZOLLNER").

WHEREAS, ZOLLNER is the owner of certain improvements upon real estate near but outside the corporate limits of the CITY, described as follows:

All buildings and improvements of Zollner, presently located or hereinafter located on an area which has a frontage of 602.4 feet more or less, along the east right of way line of Coliseum Boulevard south, a north boundary line of 1381 feet more or less, an east boundary line of 765.1 feet more or less, and a south boundary line of 1854 feet more or less.

The said buildings and improvements which are collectively referred to as "the premises" hereafter in this contract are reflected for tax purposes as \$440,470, as issued by the Treasurer of Allen County, Indiana:

and, WHEREAS, ZOLLNER desires to be assured that fire protection by CITY is available at the premises above described:

NOW, THEREFORE, the parties agree as follows:

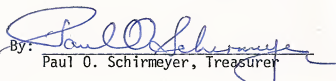
1. For one continuous calendar year from the date of this Agreement, upon the receipt by CITY'S Fire Department of a notification or signal that there is a fire on the premises above described, CITY shall cause the proper fire fighting station or stations to send such fire fighting equipment, materials, and personnel to the premises as it reasonably sends to other similar locations within the corporate limits of CITY.

2. For fire fighting services provided for herein, ZOLLNER shall pay to the CITY the sum of One and Three Thousand One Hundred Fifty-Nine Thousandths Dollars (\$1.3159) per One Hundred Dollars (\$100.00) of assessed valuation for tax purposes on the improvements hereinafter identified as the premises. The improvements hereinabove identified have an assessed valuation as indicated of \$440,470. The sum owing

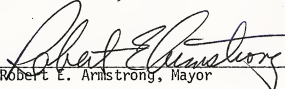
under this contract is therefore \$5,796.14. Said sum shall be payable as follows:

1. \$2,898.07 shall be payable upon execution of this contract.
2. The balance due shall be \$2,898.07 payable on or before November 1, 1979.
3. CITY shall cause its Fire Department personnel and Fire Prevention Bureau personnel to inspect ZOLLNER'S Building, equipment, and facilities periodically, at mutually convenient times, to familiarize such personnel with said buildings, equipment, and facilities and ZOLLNER'S operations on the premises, so as to (1) determine the types of fire which may reasonably be anticipated on the premises; (2) be able to render service commensurate with existing service conditions; (3) so as to make recommendations relative to fire prevention.
4. Notwithstanding the foregoing provisions, this contract shall not become effective until it shall have been signed by the Mayor and the members of the Board of Commissioners, Department of Public Safety of CITY.

ZOLLNER CORPORATION

By: 
Paul O. Schirmeyer, Treasurer

CITY OF FORT WAYNE, INDIANA

By: 
Robert E. Armstrong, Mayor

BOARD OF COMMISSIONERS,
DEPARTMENT OF PUBLIC SAFETYBy W. Terry Coonan
W. Terry Coonan, ChairmanBy William L. Kerr
William L. Kerr, MemberBy Solon Jennings
Solon Jennings, Member

I hereby certify that the foregoing contract was ratified and approved
by the Common Council of the City of Fort Wayne, Indiana on

July 24, 1979.

Charles W. Westerman
Charles W. Westerman, Clerk

4529

Admn. Appr. _____

DIGEST SHEET

S-79-07-05

TITLE OF ORDINANCE _____ Outside the City Fire Contract

DEPARTMENT REQUESTING ORDINANCE _____ Board of Public Safety

SYNOPSIS OF ORDINANCE _____ This would allow the City of Fort Wayne to provide fire
_____ protection for Zollner Corporation. They, in turn, will pay the City
_____ \$5,796.14, which is used to purchase fire equipment.

EFFECT OF PASSAGE _____ The Fort Wayne Fire Department will receive \$5,796.14

EFFECT OF NON-PASSAGE _____ The Fire Department will lose \$5,796.14

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____ none

ASSIGNED TO COMMITTEE (J.N.) _____

DATE SUBMITTED: _____ June 28, 1979